

Court No. - 4

Case :- CONTEMPT APPLICATION (CIVIL) No. - 3167 of 2023

Applicant :- Nakul Prasad

Opposite Party :- Bharat Bhargava, Sub Divisional Magistrate, Tarabganj Gonda

Counsel for Applicant :- Mohammad Ehtesham Khan

Hon'ble Rajesh Singh Chauhan,J.

1. Heard.

2. Attention has been drawn towards the order of the writ court dated 1.11.2022 passed in Writ-C No. 7634 of 2022, which reads as under :

"Heard learned counsel for the petitioner and learned State Counsel.

The grievance raised in this petition is that despite the demarcation order passed on 27.05.2022 under section 24 of U.P. Revenue Code, 2006 demarcation on the spot is not being done by the revenue authorities by fixing the boundary pillars.

It has also been stated that against the said order dated 27.05.2022 restoration application was preferred which too has been dismissed by means of the order dated 31.08.2022.

Accordingly, we dispose of this writ petition with the direction to the Sub Divisional Officer concerned to demarcate the land in question on the spot and fix the boundary pillars on the expenses to be borne by the petitioner within six weeks from the date a certified copy of this order is produced before him. We may make it clear that in case the order dated 27.05.2022 has been stayed or set aside or rescinded, the benefit of this order will not be available to the petitioner."

3. Sri Ram Swaroop, learned Standing Counsel has filed affidavit of compliance, same is taken on record.

4. In para no. 8 of the affidavit of compliance it has been indicated that the order of the writ court has been complied with in its letter and spirit.

5. Attention has been drawn towards the Annexure no. A-2 which is submission of the petitioner wherein he has himself indicated that in compliance of the order of the writ court the boundary pillars have been fixed and he is fully convinced with the compliance.

6. Since the petitioner himself has stated that the order of the writ court has been complied with in its letter and spirit and he is fully convinced with the exercise undertaken, therefore, there is no fruitful purpose to keep this contempt petition pending any longer.

7. Accordingly, the contempt petition is **dismissed**.

8. Notices discharged.

Order Date :- 12.12.2023/Om